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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,247	09/28/2001	Clark Thurston Hill	END920010029US1	5158
23550	7590	05/02/2007	EXAMINER	
HOFFMAN WARNICK & D'ALESSANDRO, LLC			CASLER, TRACI	
75 STATE STREET			ART UNIT	PAPER NUMBER
14TH FLOOR			3629	
ALBANY, NY 12207				
MAIL DATE		DELIVERY MODE		
05/02/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/966,247	HILL, CLARK THURSTON
	<b>Examiner</b>	<b>Art Unit</b>
	Traci L. Casler	3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 February 2007.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-34 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

This action is in response to papers filed on February 15, 2007.

Claims 1, 6-8, 15-15, 19-20, 27-28 and 34.

Claims 1-34 are pending.

Claims 1-34 are rejected.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 7,130,803 Couch et al; Unique Virtual Dynamically-Capable Addressing System and Method of Mailing and Parcel Delivery and Forwarding. Hereinafter referred to as Couch.

3. As to claims 1, 8, 16, 20, 28 and 33 Couch teaches

Provides and identifier for recipient and identifier is associated with a mailing address(C. 3 l. 40-41; C. 4 l. 65-67).

Provide the identifier to a sender(C. 6 l. 52-55).

**Retrieving the associated address by a postal machine associated with a referencing system(C. 5 l. 52-55).**

Route the mail piece via the identifier(C. 4 l. 19-24).

**Retrieving obviates a request to a computer(C. 1 l. 46 & 53-55).**

4. As to Claims 2, 13 and 25 electronically editing mailing address(C. 5l. 12-15).
5. As to claims 3 and 26 routing the mail piece to the edited address(C. 6 l. 16-18).
6. As to claims 4-5, 9-10, 17-18, 23-24 and 32 identifier is a machine readable barcode(C. 11 l. 63-65).
7. As to claim 6, 22 and 31 sending the associated address via machine prior to routing(C. 5 l. 52-55; C. 4 l. 19-20).
8. As to claims 7, 15, 19, 27, 29 and 34 associated address is sent in response to a request for updated information(C. 5 l. 56-60).

As to claims 11, 21 and 30 mailing address is a physical address(C. 8 l. 20-30).

***Response to Arguments***

9. Applicant's arguments filed February 15, 2007 have been fully considered but they are not persuasive.
10. Applicant argues that Couch fails to teach retrieving the "most current" associated mailing address. The examiner first notes that applicant is simply claiming retrieving the associated address not specifically the most current. Regardless, applicant is directed to C. 5 l. 52-55 where Couch teaches retrieving the last known informational data set. This inherently teaches that the system retrieves the address that the user has most recently updated for their individual informational data set.

11. As to applicants arguments that Couch does not "obviate communication with a computer". Applicants claims again read "obviate a request to a computer". It does not preclude communication between the machine and a computer.

12. The examiner notes upon reviewing applicants specification for understanding of the limitation of "obviates a request to a computer" the embodiments in which a request is not needed the information has been sent to the postal machine prior to the mail piece being processed thru a postal machine. As applicant is not claiming this embodiment the limitations when read broadly can be read that the postal machine retrieves the addresses my communicating with the referencing system. It access the database and retrieves the information. Where the information is being stored at the time of retrieval does not functionally effect the retrieval process. No matter which way the postal machine retrieves the address the routing of the mail will still proceed the same way. Furthermore, by the postal system directly retrieving the address from the system it will retrieve most accurate information rather than old information when the postal machine has not been updated since a user has last changed their address. Additionally, the third embodiment in which the postal machine does not "request", the user has to directly submit their information to the postal machine.

### ***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

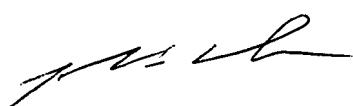
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Casler whose telephone number is 571-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the PAIR (PAIR) system. Status information for published applications may be obtained from either the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a Service Representative or access to the automated information system, call 800-786-9272-1000.



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